



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2016 REGULAR SESSION

SENATE BILL NO. 170

TUESDAY, MARCH 8, 2016

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 8, 2016
2:38 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT regarding the transportation of steel products.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "riverport" means a riverport facility established by a
6 riverport authority under KRS 65.520.

7 (2) In order to promote economic development and retain jobs within this state,
8 subject to KRS 189.222, the department shall promulgate administrative
9 regulations pursuant to KRS Chapter 13A governing the issue of annual permits
10 for the operation of motor vehicles that are transporting steel products in divisible
11 or nondivisible loads on state highways from a facility manufacturing products in
12 this state to a riverport within this state, and whose dimensions exceed the limits
13 for vehicle width prescribed by this chapter.

14 (3) The maximum width dimension for an overdimensional permit issued in
15 accordance with this section shall be ten (10) feet.

16 (4) A motor carrier transporting steel products in divisible or nondivisible loads from
17 a facility manufacturing steel products in this state may apply for an annual
18 overdimensional permit pursuant to subsection (2) of this section. An application
19 for a permit shall identify the route to be used. The permit shall be valid twenty-
20 four (24) hours a day, but shall be limited to movements of steel products within
21 the state of not more than seven (7) road miles from the manufacturing facility.
22 The cost of the annual permit shall be two hundred fifty dollars (\$250).

23 ➔Section 2. KRS 189.270 is amended to read as follows:

24 (1) The department may issue permits for the operation of motor vehicles,
25 manufactured homes, recreational vehicles, boats, or any other vehicle transporting
26 a nondivisible load, whose gross weight including load, height, width, or length
27 exceeds the limits prescribed by this chapter or which in other respects fail to

1 comply with the requirements of this chapter. Permits may be issued by the
2 department for stated periods, special purposes, and unusual conditions, and upon
3 terms in the interest of public safety and the preservation of the highways as the
4 department may require.

5 (2) Except as provided in subsection (7) of this section, the department may, at the
6 request of an applicant, issue a single-trip permit regardless of the type of vehicle or
7 equipment being transported that exceeds the weight or dimension limits
8 established by this chapter if the load being transported is a nondivisible load. A
9 single-trip permit shall cost sixty dollars (\$60) for each overweight or
10 overdimensional permit requested.

11 (3) Except as provided in subsection (7) of this section, the department may, at the
12 request of an applicant, issue an annual permit regardless of the type of vehicle or
13 equipment being transported that exceeds the weight or dimension limits
14 established by this chapter if the load being transported is a nondivisible load. The
15 vehicle shall not exceed sixteen (16) feet in width exclusive of usual and ordinary
16 overhang, one hundred twenty (120) feet in length including a towing vehicle and
17 trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty
18 thousand (160,000) pounds. Except as provided in subsections (4) and (7) of this
19 section, an annual permit for loads less than fourteen (14) feet in width shall cost
20 two hundred fifty dollars (\$250). An annual permit for loads exceeding fourteen
21 (14) feet in width shall cost five hundred dollars (\$500).

22 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width
23 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that
24 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a
25 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars
26 (\$150).

27 (5) Permits issued under this section shall be for nondivisible loads and shall be valid

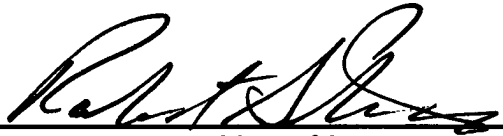
1 statewide; however, the department may, as a condition of issuing an annual or
2 single-trip permit, limit the overweight or overdimensional vehicle to specified
3 routes, exclude certain highways, or even cancel an applicant's permit if an
4 unreasonable risk of accident or an unreasonable impedance of the flow of traffic
5 would result from the presence of the overweight or overdimensional vehicle. A
6 person who applies for, and accepts, a permit issued under this section is
7 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe
8 passage of vehicles by issuing the permit. A person who applies for, and accepts, a
9 permit issued under this section agrees to measure all clearances of highway
10 structures, both laterally and vertically, prior to passage of the person's vehicles
11 along the routes specified in the permit. A person who applies for, and accepts, a
12 permit issued under this section is classified as a bare licensee whose duty is to
13 assume sole risk involved in using Kentucky's highways without warranty of
14 accuracy.

15 (6) Subject to the limitations of subsection (11) of this section, the department shall
16 promulgate administrative regulations under KRS Chapter 13A to establish
17 requirements for escort vehicles, safety markings, and other safety restrictions
18 governing the operation of an overweight or overdimensional vehicle. The
19 department shall provide each applicant for an annual or single-trip permit issued
20 under this section a copy of all restrictions associated with the overweight or
21 overdimensional permit at no charge to the applicant. The department shall be
22 prohibited from raising the permit fee established in subsections (2) and (3) of this
23 section by levying additional fees for an overweight or overdimensional permit
24 through the administrative regulation process.

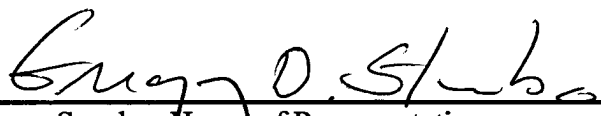
25 (7) The cabinet shall not issue an annual permit under this section if the person
26 applying for the permit is eligible for an annual permit issued under KRS 189.2715,
27 Section 1 of this Act, or 189.2717.

- 1 (8) The department may require the applicant to give bond, with approved surety, to
2 indemnify the state or counties against damage to highways or bridges resulting
3 from use by the applicant. The operation of vehicles in accordance with the terms of
4 the permit issued under this section shall not constitute a violation of this chapter if
5 the operator has the permit, or an authenticated copy of it, in his possession.
- 6 (9) Any person transporting a parade float which exceeds the dimensional limits on a
7 highway over which it is transported shall be required to obtain a permit as required
8 in subsection (2) of this section. If the float is being used in conjunction with a
9 parade to be held within the boundaries of the Commonwealth, a fee shall not be
10 assessed by the department to issue the permit.
- 11 (10) A person shall not operate any vehicle in violation of the terms of the permit issued
12 under this section.
- 13 (11) (a) The cabinet shall not promulgate administrative regulations pursuant to this
14 section that restrict the time or days of the week when a permit holder may
15 operate on the highway, except that travel may be limited from 6 a.m. to 9
16 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the
17 restrictions established in this paragraph, any manufactured home being
18 transported by permit issued under this section shall not travel on any highway
19 after daylight hours Monday through Saturday, or at any time on Sunday.
- 20 (b) The cabinet shall allow a permit holder who has obtained a permit to transport
21 equipment to a work site to return to the permit holder's place of business
22 immediately after work is completed at the job site, subject to the limitations
23 of paragraph (a) of this subsection.
- 24 (c) The cabinet shall not promulgate administrative regulations pursuant to this
25 section setting forth escort vehicle requirements for overdimensional farm
26 implements or vehicles towing overdimensional farm implements that are
27 more stringent than the following:

- 1 1. For a single vehicle and load in excess of twelve (12) feet in width being
2 operated on a two (2) lane highway, no more than one (1) lead vehicle
3 shall be required;
- 4 2. For a single vehicle and load in excess of twelve (12) feet in width being
5 operated on a four (4) lane highway, no more than one (1) trail vehicle
6 shall be required;
- 7 3. For a single vehicle and load in excess of eighty-five (85) feet in length
8 being operated on a two (2) lane highway, no more than one (1) lead
9 vehicle shall be required;
- 10 4. For more than one (1) vehicle and load in excess of twelve (12) feet in
11 width or eighty-five (85) feet in length being operated as a convoy on a
12 two (2) lane highway, no more than one (1) lead vehicle shall be
13 required;
- 14 5. A lead escort vehicle on a two (2) lane highway under this paragraph
15 may also serve as a tow vehicle;
- 16 6. Any distance for lead or trail escort vehicles shall contain provisions
17 allowing for a variance from that distance due to safety or road
18 conditions; and
- 19 7. A vehicle or its escort shall be required to bear a sign declaring that the
20 vehicle is oversized or be required to use lights, flashers, or flags, but a
21 vehicle or its escort shall not be required to do both.



President of Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 8 APRIL 2016